

SHERMAN DIVISION

§

§

§

§

§

§

 \mathcal{S}

§

 \mathcal{S}

38

22

 ∞ \mathcal{S}

REGARDING THE TIMING BY WHICH THE JURY MEASURES GENERICNESS

441 (5th Cir. 2024).

holdings related to the Court's evidentiary rulings.

policy. “The harm in affording protection to a generic term is the same whether the mark became

generic or whether the term was always generic.” *See, e.g., Tex. Tamale Co. v. CPUSA2, LLC*, No. 4:21-cv-3341, 2024 U.S. Dist. LEXIS 44989, at *16-19 (S.D. Tex. Mar. 14, 2024).

DATED: March 6, 2025

Respectfully submitted,

/s/ Jerry R. Selinger

Jerry R. Selinger, Lead Counsel
State Bar No. 18008250
PATTERSON + SHERIDAN, LLP
1700 Pacific Ave., Suite 2650
Dallas, Texas 75201
Tel: (214) 272-0957
Fax: (713) 623-4846
jselinger@pattersonsheridan.com

Craig V. Depew
Texas State Bar No. 05655820
PATTERSON + SHERIDAN, LLP
24 Greenway Plaza, Suite 1600
Houston, Texas 77046
Tel: 832-968-7285
Fax: 713-623-4846
cdepew@pattersonsheridan.com

Kyrie K. Cameron
State Bar No. 24097450
PATTERSON + SHERIDAN, LLP
24 Greenway Plaza, Suite 1600
Houston, Texas 77046
Tel: (713) 623-4844
Fax: (713) 623-4846
kcameron@pattersonsheridan.com

ATTORNEYS FOR DEFENDANTS
ARMADILLO DISTRIBUTION
ENTERPRISES, INC. AND CONCORDIA
INVESTMENT PARTNERS, LLC

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was served on all counsel of record via the Court's CM/ECF electronic filing system on March 6, 2025.

/s/ Jerry R. Selinger
Jerry Selinger